

REMARKS/ARGUMENTS

In compliance with the requirement in the Interview Summary mailed on September 8, 2006 that the formal written reply to the last Office Action must include the substance of the interview, the substance of the interview follows.

Applicants' attorney conducted a telephone interview on August 22, 2006 and a follow-up telephone interview on August 24, 2006.

In the interview on August 22, the Examiner indicated her position on the pending claims.

The Examiner indicated in the interview on August 22, that independent claims 23 and 50 and their dependent claims would be allowable if Applicants could find support for the "Access-Control-Circuit which emits an access signal." Applicants' attorney brought to the attention of the Examiner the reference on the last two lines of page 7 and the first two lines of page 8 of the originally filed PCT specification to an "Access-Control member" in a cover plate provided with, for instance, "a ski pass or any other signal in order to allow access to any institution," (emphasis supplied). In addition, amended PCT claim 22 provides for a tool including a sending member, such as an emergency localization transmitter (ELT), for sending a signal in order to localize a person carrying the tool, and claim 23, dependent on claim 22, indicates that an Access-Control-Circuit is present in the tool.

The paragraph at pages 7-8 of the original application discloses that a pocket knife (and more specifically a cover plate of a pocket knife) is "suitable to store data for an entrance control, i.e. for so-called 'Access-Control.'" Such a cover plate can accordingly be "provided for instance with a ski pass or any other signal in order to allow access to any institution." Further, "this 'Access-Control' member may also be arranged integrally on the tool itself."

Applicants' attorney discussed the possible amendment of these independent claims to provide for an access control circuit and/or an emergency localization transmitter emitting a signal, in the follow-up interview on August 24, and the Examiner indicated that such an amendment would render these claims and the claims dependent therefrom allowable.

With regard to independent claims 41 and 51, which recite an electronic scale for measuring and displaying a weight, the Examiner indicated that, in her view, only a digital output was supported in the application. In her view, a digital sensor was not supported by the application as originally filed. In the follow-up interview on August 24, Applicants' attorney argued that the description of a weighing "cell" and a "display" in the last paragraph on page 6

and Fig. 7 of the originally filed PCT specification; the inclusion of a scale as one of the “measuring and display devices” claimed in original claim 4; and claim 16 in those claims, including a display, electronics, and “a measuring sensor” of the measuring and display device, supported the feature of the electronic scale measuring as well as displaying the weight. The Examiner disagreed with the argument and the interpretation of the originally filed application advanced by Applicants’ attorney.

With regard to new claims 52-91, in the initial interview of August 22, the Examiner seemed to be unfamiliar with the arguments set forth on pages 18-20 of the Amendment filed herein and dated June 14, 2006. In the follow-up interview on August 24, the Examiner suggested that the independent claims contained within new claims 52-91 would be allowable if the independent claims were amended to state that the covers containing the measuring and display devices can be connected in order to code the cover plates and to transmit the data stored therein to a PC, as further described in the second full paragraph on page 7 of the specification.

The Amendments filed on August 9, 2005 and February 16, 2006 were objected to under 35 U.S.C. §132(a) because they introduce new matter into the disclosure. Reconsideration of the objection is respectfully requested.

It is respectfully submitted that the Amendment dated February 16, 2006 did not introduce new matter into the disclosure, and that there was no Amendment filed on August 9, 2005.

Nonetheless, claims 41-49 and 51 have been canceled, without prejudice or disclaimer, to overcome a first ground of the objection. In addition, claims 23, 50, and 74 have been amended to overcome a second ground of the objection. Claims 23, 50, and 74 now omit the phrase “which emits an access signal.” It is noted that claim 52 does not contain the feature objected to in claims 23 and 74, contrary to the Examiner’s contention regarding claim 52. With this amendment, claims 23, 50, and 74 are respectfully submitted to be supported by the disclosure, as further set forth above in the substance of the interview.

The Examiner alleges that Applicants use the terms “cover” and “casing” interchangeably and that Applicants uses the same numerals, 6, 7, to identify both the cover and the casing, although another numeral 33 is used to identify the “casing” throughout the specification.

Applicants respectfully disagree. First of all, the numerals 6, 7 are used consistently to identify cover plates in the specification, as amended. Furthermore, the numeral 33 is used to

identify a cover in the paragraph beginning on page 5, line 10, of the specification. Applicants can find no other reference in the specification to numeral 33.

The drawings were objected to on the ground that the “Access-Control-Circuit” and “electronic scale” must be shown or the features canceled from the claims. Reconsideration of the objection is respectfully requested.

The “electronic scale” has been canceled from the claims. With regard to the “Access-Control-Circuit,” this feature, among others, was shown in a marked-up copy of Fig. 8a attached to the Amendment dated August 1, 2003 filed herein. The proposed drawing correction to Fig. 8a was approved by the Examiner in the Office Action Summary of the Office Action mailed on November 7, 2003. A conforming amendment was made to the paragraph on page 8, lines 3-5, of the specification by the Amendment filed herein and dated November 22, 2002. A replacement sheet for the drawing sheet on which Fig. 8a appears is enclosed herewith showing the approved change to Fig. 8a.

Claims 23, 52, and 73-74 were objected to for certain informalities. Reconsideration of the objection is respectfully requested.

Claims 23, 50, and 74 have been amended to overcome the objection. Claim 73 has also been amended to overcome the objection.

Claims 41-45, 47-48, and 51 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub, U.S. Patent No. 4,854,045, in view of Vinci, U.S. Patent No. 5,875,413, McIntosh, U.S. Patent No. 5,313,376, and Helberg, U.S. Patent No. 6,043,438. Reconsideration of the rejection is respectfully requested.

Claims 41-45, 47-48, and 51 were canceled, without prejudice or disclaimer.

Claim 46 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub, Vinci, McIntosh, and Helberg and further in view of Vance, U.S. Patent No. 6,313,731. Reconsideration of the rejection is respectfully requested.

Claim 46 has been canceled, without prejudice or disclaimer.

Claim 49 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub, Vinci, McIntosh, and Helberg and further in view of Tymkewicz, U.S. Patent No. 6,000,845. Reconsideration of the rejection is respectfully requested.

Claim 49 has been canceled without prejudice or disclaimer.

Claims 52-54, 56-58, 64-70, 72-73, 79-85, and 87-88 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub in view of Vinci. Reconsideration of the rejection is respectfully requested.

Claim 61 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub and Vinci and further in view of La Neve, U.S. Patent No. 5,634,719. Reconsideration of the rejection is respectfully requested.

Claim 76 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub and Vinci and further in view of Tymkewicz. Reconsideration of the rejection is respectfully requested.

Claims 60, 71, 75, and 91 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub and Vinci and further in view of McIntosh and Helberg. Reconsideration of the rejection is respectfully requested.

Claim 63 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub and Vinci and further in view of Mellors et al., U.S. Patent No. 3,921,049. Reconsideration of the rejection is respectfully requested.

Claims 55 and 89-90 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub and Vinci and further in view of Kubota et al., U.S. Patent No. 5,724,317. Reconsideration of the rejection is respectfully requested.

Claim 62 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schaub and Vinci and further in view of Vance. Reconsideration of the rejection is respectfully requested.

Independent claims 68, 80, 81, and 87 and any claims dependent therefrom have been amended to change each occurrence of the term “cover plate” to --cover-- to conform the claims to the specification, which has been amended so that it describes a cover on the casing as shown in Figs. 2 and 8b of the drawings, as distinguished from Figs. 1, 3, 4, and 8a, which show cover plates without a casing.

The Examiner, in rejecting independent claims 52, 68, 79, and 80, appears to contend that, since Schaub allegedly states that a portion 20 internal module/internal surface of cover or casing A, (cover or casing A, according to the Examiner, being a casing 23 combined or integral with an inner module 20), is provided with expansion possibilities, the display and measuring devices could be arranged on the cover or casing A.

Schaub states that there are two inner modules or interchangeable sections 20, 26 and two outer cover modules 23, 25, as shown in Fig. 2, that the inner modules 20, 26 are each provided with two lateral expansion possibilities for adjacent modules, and that the outer cover modules 23, 25 are each provided with only one expansion possibility for further modules, (column 2, lines 42-59).

It is respectfully submitted that the Examiner's present position regarding the location of the at least one measuring and display device contradicts the prior contention of the Examiner that a portion of the at least one measuring and display device is a sensor, citing column 2, lines 36-38 of Schaub, (Office Action mailed on March 14, 2006, page 2, paragraph 4, line 5, to page 5, line 1). The expansion possibility for further modules on the inner modules 20, 26 should not be read to imply the possibility of including the sensor portion of the measuring and display device as such an expansion possibility, when Schaub expressly teaches that a sensor unit can be inserted in the intermediate module instead of the tool blade 13, (column 2, lines 36-41). It is thus respectfully submitted that the Examiner's original contention regarding the equivalence of the sensor in intermediate module instead of the tool blade 13 to a portion of the measuring and display device is supported by Schaub. In contrast, the Examiner's contention that Schaub implies that such a sensor is one of the expansion possibilities for the inner modules 20, 26 is not supported by Schaub, and is, indeed, contradicted by the express teaching of Schaub that such a sensor is located in the intermediate module instead of the tool blade 13.

Moreover, it is respectfully submitted that the Examiner's contention that cover A is comprised of outer cover module 23 of Schaub combined or integral with the inner module 20 of Schaub, (Office Action, page 7, paragraph 8, lines 6-7), is inherently unreasonable. To say that the cover A is comprised of both the outer cover module 23 and the inner module 20 is to render the term "cover" meaningless since such a "cover" includes about one-half of the width of the tool, (see Fig. 2).

With respect to claim 73, it has been amended so that it now appears in independent form. It is respectfully submitted that the feature of "a sending member for sending a localizing signal in order to localize a person carrying the pocket knife, said sending member comprising an ELT (Emergency Localization Transmitter)" in claim 73 does not appear to be disclosed, taught, or suggested by any of the references applied in the Office Action.

The Examiner has indicated allowable subject matter in claims 2-3, 8-9, 11, 13-14, 23, 25, 50, and 74.

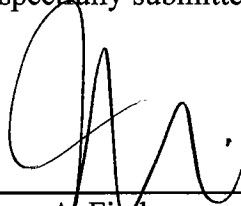
It is respectfully submitted that independent claims 23, 50, and 74 have been amended to render them allowable, and that claims 2-3, 8-9, 11, 13-14, and 25, being directly or indirectly dependent on independent claim 23, are also allowable.

In view of the foregoing amendments and remarks, allowance of claims 2-3, 8-9, 11, 13-14, 23-25, 50, and 52-91 is respectfully requested.

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JAF/MIM:lac

Respectfully submitted,



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